

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

STEPHEN WASHBURN,	:	
Plaintiff,	:	
vs.	:	Case No. 3:06cv00288
MICHAEL J. ASTRUE,	:	District Judge Thomas M. Rose
Commissioner of the Social	:	Magistrate Judge Sharon L. Ovington
Security Administration,	:	
Defendant.	:	

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**ORDER**

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This case is before the Court upon Plaintiff's Motion For Allowance Of Attorney Fees Pursuant To 42 U.S.C. §406(b), which the Commissioner does not oppose. (Doc. #17). The Court previously remanded this case to the Social Security Administration for further proceedings, which resulted in a decision favorable to plaintiff including an award of retroactive and ongoing disability benefits. (Doc. #17 at 2 and Exhibit B).

Plaintiff seeks an award of attorney fees in the total amount of \$15,059.25. In the absence of opposition by the Commissioner, Plaintiff's Motion and supporting Exhibits establish that an award of attorney fees is warranted under 42 U.S.C. §406(b) in the amount the Motion he seeks.

Accordingly, the Court hereby **ORDERS** that:

1. Plaintiff's Motion For Allowance Of Attorney Fees Pursuant To 42 U.S.C. §406(b) (Doc. #17) is GRANTED; and
2. The Commissioner shall pay Plaintiff's attorney fees pursuant to 42 U.S.C. §406(b) in the amount of \$15,059.25.

September 2, 2009

**\*S/THOMAS M. ROSE**

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Thomas M. Rose  
United States District Judge